

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CYMEYON V. HILL,  
Plaintiff,

v.

MICHAEL KERN,  
Defendant.

Case No. [20-cv-04796-YGR](#) (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

On July 17, 2020, Plaintiff, a civil detainee, filed the present *pro se* civil rights complaint under 42 U.S.C. § 1983.

In an Order dated August 6, 2020, the Court noted that because Plaintiff is a civil detainee, then he is not a “prisoner” subject to the provisions of the Prisoner Litigation Reform Act. Dkt. 3 at 1 (citing *Page v. Torrey*, 201 F.3d 1136, 1140 (9th Cir. 2000)). Thus, the Court directed Plaintiff to file a non-prisoner application for leave to proceed *in forma pauperis* (“IFP”). The Court informed Plaintiff that his action could not go forward until he paid the filing fee or filed a completed non-prisoner IFP application. The Court directed the Clerk of the Court to send Plaintiff a blank non-prisoner IFP application, and it warned Plaintiff that he must pay the fee or return the completed application within twenty-eight days or his action would be dismissed. More than twenty-eight days have passed, and Plaintiff has not paid the filing fee, returned the non-prisoner IFP application, or otherwise communicated with the Court.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Clerk shall terminate all pending motions and close the file.

IT IS SO ORDERED.

Dated: September 29, 2020

  
YVONNE GONZALEZ ROGERS  
United States District Judge